



CITY OF SANTA BARBARA

JOINT COUNCIL AND REDEVELOPMENT AGENCY AGENDA REPORT

AGENDA DATE: April 13, 2010

TO: Mayor and Councilmembers
Chairperson and Agency Boardmembers

FROM: Housing and Redevelopment Division, Community Development
Department

SUBJECT: Quitclaim And Release Of The Parking Easement Area By The
Agency And City To The Rodney James Shull Foundation At 12 East
Montecito Street

RECOMMENDATION:

That Council and the Redevelopment Agency Board approve and authorize the City Administrator and Executive Director to execute the Quitclaim Deed and Release of the Parking Easement Area to the Rodney James Shull Foundation at 12 East Montecito Street.

DISCUSSION:

In December 1998, the City and Redevelopment Agency entered into a Reciprocal Easement Agreement (Agreement) with the Parker Family Trust, predecessor in-interest to the Rodney James Shull Foundation (Foundation). The Agreement created reciprocal easements for specific purposes on two adjacent parcels of real property. One parcel, owned by the Foundation and located at 12 East Montecito Street, is currently under construction with a youth hostel ("Foundation Parcel"). The other parcel, owned by the Agency and located at 217 Helena Avenue, is not developed ("Agency Parcel"). (See Attachment.)

The Agreement grants an easement for the benefit of the Foundation over the Agency Parcel for purposes of pedestrian and vehicular access through the Agency Parcel to the Foundation parcel. The Agreement also grants a conditional easement for the benefit of the City and Agency over a portion of the Foundation Parcel for purposes of an Agency-constructed and City-operated and -maintained public parking facility. The Agreement obligates the City to construct and operate a parking facility on the Foundation Parcel if the City also constructs a parking facility on the Agency Parcel. It was originally contemplated in the Agreement that at such time as the Agency constructed a parking facility on its parcel, the Agency would also construct a public

parking facility on the Foundation Parcel. Thereafter, the parking facility on both parcels would be operated by the City.

In 2007 the parties entered into an Addendum to the Reciprocal Easement Agreement that granted an additional easement to benefit the Foundation Parcel for purposes of access to and placement of a trash enclosure on the Agency Parcel. The Addendum also provided that through recordation of a quitclaim deed and release, the Agency could relinquish its easement in the Foundation Parcel and release the City's obligation to construct, maintain or operate a parking facility on the Foundation Parcel.

The Quitclaim and Release proposed for approval by the Council and Agency Board will release the Agency and the City from the obligation to construct, maintain and operate a public parking facility on the Foundation Parcel and will relinquish the Agency's easement over the Foundation Parcel for that purpose. All other easements and agreements set forth in the Reciprocal Easement and Addendum will remain in full force and are not affected by the Quitclaim and Release. This includes the grant to the Foundation of permanent, non-exclusive easements for pedestrian, vehicular, and all necessary service and delivery ingress and egress over and through the Agency's parcel.

In December 2008, the Agency Board approved funding for the development of a surface public parking lot on the Agency Parcel at 217 Helena Avenue. Agency staff and Foundation representatives met several times to discuss opportunities for constructing the parking lots concurrently. These discussions concluded that building the parking lots independently would be the best approach at this time. In the future, it may be appropriate to revisit consideration of joint operation between the two lots. Agency staff is now preparing a request for proposals for the design and engineering of the surface public parking lot on the Agency Parcel.

Final design is expected in the fall. Construction of the Helena parking lot is anticipated in early 2011 and is expected to take five months to complete. Agency staff and the Foundation will coordinate the construction of improvements between their respective parcels.

ATTACHMENT: Vicinity Map

PREPARED BY: Brian Bosse, Housing and Redevelopment Manager/MEA/LL

SUBMITTED BY: Paul Casey, Deputy Director

APPROVED BY: City Administrator's Office

Attachment

217 Helena Avenue Quitclaim Vicinity Map

